



Sen. James F. Clayborne Jr.

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LRB096 09664 AMC 23103 a

1 AMENDMENT TO SENATE BILL 2164

2 AMENDMENT NO. _____. Amend Senate Bill 2164 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Riverboat Gambling Act is amended by adding
5 Section 11.3 as follows:

6 (230 ILCS 10/11.3 new)

7 Sec. 11.3. Free drinks. Nothing in this Act or its rules
8 shall be interpreted to prohibit the distribution of free
9 drinks on the gaming floor of a riverboat licensed under this
10 Act that has adjusted gross receipts in calendar year 2008 of
11 less than \$50,000,000.

12 Section 10. The Liquor Control Act of 1934 is amended by
13 changing Section 6-28 as follows:

14 (235 ILCS 5/6-28) (from Ch. 43, par. 144d)

1 Sec. 6-28. Happy hours prohibited.

2 (a) All retail licensees shall maintain a schedule of the
3 prices charged for all drinks of alcoholic liquor to be served
4 and consumed on the licensed premises or in any room or part
5 thereof. Whenever a hotel or multi-use establishment which
6 holds a valid retailer's license operates on its premises more
7 than one establishment at which drinks of alcoholic liquor are
8 sold at retail, the hotel or multi-use establishment shall
9 maintain at each such establishment a separate schedule of the
10 prices charged for such drinks at that establishment.

11 (b) No retail licensee or employee or agent of such
12 licensee shall:

13 (1) serve 2 or more drinks of alcoholic liquor at one
14 time to one person for consumption by that one person,
15 except conducting product sampling pursuant to Section
16 6-31 or selling or delivering wine by the bottle or carafe;

17 (2) sell, offer to sell or serve to any person an
18 unlimited number of drinks of alcoholic liquor during any
19 set period of time for a fixed price, except at private
20 functions not open to the general public;

21 (3) sell, offer to sell or serve any drink of alcoholic
22 liquor to any person on any one date at a reduced price
23 other than that charged other purchasers of drinks on that
24 day where such reduced price is a promotion to encourage
25 consumption of alcoholic liquor, except as authorized in
26 paragraph (7) of subsection (c);

1 (4) increase the volume of alcoholic liquor contained
2 in a drink, or the size of a drink of alcoholic liquor,
3 without increasing proportionately the price regularly
4 charged for the drink on that day;

5 (5) encourage or permit, on the licensed premises, any
6 game or contest which involves drinking alcoholic liquor or
7 the awarding of drinks of alcoholic liquor as prizes for
8 such game or contest on the licensed premises; or

9 (6) advertise or promote in any way, whether on or off
10 the licensed premises, any of the practices prohibited
11 under paragraphs (1) through (5).

12 (c) Nothing in subsection (b) shall be construed to
13 prohibit a licensee from:

14 (1) offering free food or entertainment at any time;

15 (2) including drinks of alcoholic liquor as part of a
16 meal package;

17 (3) including drinks of alcoholic liquor as part of a
18 hotel package;

19 (4) negotiating drinks of alcoholic liquor as part of a
20 contract between a hotel or multi-use establishment and
21 another group for the holding of any function, meeting,
22 convention or trade show;

23 (5) providing room service to persons renting rooms at
24 a hotel;

25 (6) selling pitchers (or the equivalent, including but
26 not limited to buckets), carafes, or bottles of alcoholic

1 liquor which are customarily sold in such manner, or
2 selling bottles of spirits, and delivered to 2 or more
3 persons at one time; ~~or~~

4 (7) increasing prices of drinks of alcoholic liquor in
5 lieu of, in whole or in part, a cover charge to offset the
6 cost of special entertainment not regularly scheduled; or ~~or~~

7 (8) distributing free drinks on the gaming floor of a
8 riverboat licensed under the Riverboat Gambling Act, as
9 provided in Section 11.3 of that Act.

10 (d) A violation of this Act shall be grounds for suspension
11 or revocation of the retailer's license as provided by this
12 Act.

13 (Source: P.A. 94-1112, eff. 2-27-07.)

14 Section 99. Effective date. This Act takes effect upon
15 becoming law."